1	BILL LOCKYER, Attorney General of the State of California PAUL C. AMENT, State Bar No. 60427 Supervising Deputy Attorney General ELAINE GYURKO		
2			
3			
4	Senior Legal Analyst California Department of Justice		
5	300 South Spring Street, Suite 1702 Los Angeles, California 90013		
6	Telephone: (213) 897-4944 Facsimile: (213) 897-9395		
7	Attorneys for Complainant		
8			
9	BEFORE THE RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA		
10			
11	STATE OF CAL	IFORNIA	
12	In the Matter of the Statement of Issues Against:	Case No. S-361	
13	KENNETH JAMAL WILLIAMS 16251 Woodruff Avenue #2	STIPULATION FOR ISSUANCE	
14	Bellflower, California 90706	OF LICENSE AND PUBLIC REPRIMAND	
15	Respondent.	KEI KIMAND	
16			
17	IT IS HEREBY STIPULATED AND AGREED by and between the parties to the		
18	above-entitled proceedings that the following matters are true:		
19	<u>PARTIES</u>		
20	1. Stephanie Nunez (Complainant) is the Executive Officer of the		
21	Respiratory Care Board of California (Board). She brought this action solely in her official		
22	capacity, and is represented in this matter by Bill Lockyer, Attorney General of the State of		
23	California, by Elaine Gyurko, Senior Legal Analyst.		
24	2. Kenneth Jamal Williams (Respondent) is representing himself in this		
25	proceeding and has chosen not to exercise his right to be represented by counsel.		
26	3. On or about June 6, 2005, Respondent submitted an application for		
27	licensure to the Board. On or about December 16, 2005, the Board denied Respondent's		
28	application. On or about January 19, 2006, Respondent requested a hearing.		

## **JURISDICTION**

4. Statement of Issues No. S-361 was filed before the Board, and is currently pending against Respondent. The Statement of Issues, together with all other statutorily required documents, was properly served on Respondent on May 15, 2006, and Respondent filed his Notice of Defense contesting the Statement of Issues. A copy of Statement of Issues No. S-361 is attached as Exhibit 1 and incorporated herein by reference.

# ADVISEMENT AND WAIVERS

- 5. Respondent has carefully read and understands the charges and allegations in Statement of Issues No. S-361. Respondent has also carefully read and understands the effects of this Stipulation for Issuance of License and Public Reprimand.
- 6. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Statement of Issues; the right to be represented by counsel at his own expense; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.
- 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

#### **CULPABILITY**

- 8. Respondent admits the truth of each and every charge and allegation in Statement of Issues No. S-361.
- 9. Respondent agrees that his Respiratory Care Practitioner License application is subject to denial, and he agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

#### NON-COMPLIANCE WITH ORDER

10. In the event Respondent fails to comply with the terms of this Stipulation for Issuance of License and Public Reprimand, such failure shall be deemed a violation of

Business and Professions Code section 3750, subdivision (g), and the Board, after giving notice 1 2 and the opportunity to be heard, may take additional disciplinary action against Respondent. 3 **CONTINGENCY** 4 11. This stipulation shall be subject to approval by the Board. Respondent 5 understands and agrees that the Board's staff and counsel for Complainant may communicate 6 directly with the Board regarding this stipulation and settlement, without notice to or 7 participation by Respondent. If the Board fails to adopt this stipulation as its Decision and 8 Order, the Stipulation for Issuance of License and Public Reprimand shall be of no force or effect 9 (except for this paragraph), it shall be inadmissible in any legal action between the parties, and 10 the Board shall not be disqualified from further action by having considered this matter. 11 12. The parties understand and agree that facsimile copies of this Stipulation 12 for Issuance of License and Public Reprimand, including facsimile signatures thereto, shall have 13 the same force and effect as the originals. 14 13. In consideration of the foregoing admissions and stipulations, the parties 15 agree that the Board may, without further notice or formal proceeding, issue and enter the 16 following Disciplinary Order: 17 18 **DISCIPLINARY ORDER** 19 IT IS HEREBY ORDERED that Respondent Kenneth Jamal Williams shall be 20 issued a Respiratory Care Practitioner License which is publicly reprimanded by the Respiratory 21 Care Board of California. This document shall constitute the formal public reprimand. The 22 Board agrees to issue a license and Respondent agrees to the following terms and conditions: 23 A. No further violation of the law will occur; and 24 B. He shall pay to the Board costs of investigation and prosecution of this matter 25 in the amount of \$1,269.00. This amount shall be paid in quarterly increments within 12 26 months of the effective date of this decision. 27 // 28

1	<u>ACCEPTANCE</u>	
2	I have carefully read the Stipulation for Issuance of License and Public	
3	Reprimand, and I fully understand the terms and conditions and other matters contained therein.	
4	I understand the effect this stipulation will have on my Respiratory Care Practitioner License that	
5	is issued. I enter into this Stipulation for Issuance of License and Public Reprimand voluntarily,	
6	knowingly, and intelligently, and agree to be bound by the Decision and Order of the Respiratory	
7	Care Board.	
8	DATED: <u>July 24, 2006</u>	
9		
10	Original signed by: KENNETH JAMAL WILLIAMS	
11	RENNETH JAMAL WILLIAMS Respondent	
12		
13		
14		
15	<u>ENDORSEMENT</u>	
16	The foregoing Stipulation for Issuance of License and Public Reprimand is hereby	
17	respectfully submitted for consideration by the Respiratory Care Board of the Department of	
18	Consumer Affairs.	
19	DATED: <u>August 15, 2006</u>	
20	BILL LOCKYER, Attorney General of the State of California	
21	of the State of California	
22	Original signed by:	
23	ELAINE GYURKO Senior Legal Analyst	
24	Attorneys for Complainant	
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# BEFORE THE RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA

In the Matter of the Statement of Issues Against:

Case No. S-361

KENNETH JAMAL WILLIAMS 16251 Woodruff Avenue #2 Bellflower, California 90706

Respondent.

## **DECISION AND ORDER**

The attached Stipulation for Issuance of License and Public Reprimand is hereby adopted by the Respiratory Care Board of the Department of Consumer Affairs as its Decision in this matter.

This Decision shall become effective on January 4, 2007.

It is so ORDERED December 21, 2006.

Original signed by:

LARRY L. RENNER, BS, RRT, RCP, RPFT PRESIDENT, RESPIRATORY CARE BOARD DEPARTMENT OF CONSUMER AFFAIRS STATE OF CALIFORNIA